

For Clerk's Office Use		
Judge M	Recd Date	Grv.

For use by inmates in filing a complaint under **CIVIL RIGHTS ACT, 42 USC §1983**

INMATE NAME: RASHAD MATTHEW RIDDICK

PRISONER NO.: _____

PLACE OF CONFINEMENT: CENTRAL VIRGINIA REGIONAL JAIL **CLERK'S OFFICE U.S. DIST. COURT**
AT ROANOKE, VA
FILED
AUG 29 2013
JULIA C. DUBLEY, CLERK
BY: [Signature] DEPUTY CLERK

RASHAD MATTHEW RIDDICK
 Enter Full Name **Plaintiff**

vs.

CIVIL ACTION NO. 7:13-CV-00402

CAPTAIN DUANE RYDER, LIEUTENANT VOGT
OFFICER NEFF, SUPERINTENDANT F.G. AYLOE, et al.,
 Enter Full Name(s) **Defendant(s)**

A. Have you begun other actions in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

☒ **Yes** ☐ **No**

B. If your answer to A is Yes, describe the action in the space below.

1. Parties to the Action: CAPTAIN DUANE RYDER, OFFICER NEFF,
LIEUTENANT VOGT, SUPERINTENDANT AYLOE, et al.,

2. Court: UNITED STATES DISTRICT COURT, ROANOKE DIVISION

3. Docket No.: 7:13-CV-00315

4. Judge: NORMAN K. MOON

5. Disposition: STRUCK FROM ACTIVE DOCKET, THE COURT ALLEGED THAT
IT DID NOT RECEIVE CERTIFIED COPY OF TRUST ACCOUNT STATEMENT
 (For example, is the case still pending? If not, what was the ruling? Was the case appealed?)

C. Have you filed any grievances regarding the facts of your complaint?

Yes ☒ **No** ☐

1. If your answer is Yes, complete the enclosed verified statement, indicating the result. Please attach evidence of your exhaustion of all available grievance procedures.

2. If your answer is No, indicate the reason for failure to exhaust on the verified statement. You may be required to exhaust your claims through any applicable grievance procedures. Your complaint may be dismissed if you fail to exhaust all avenues of the grievance process in a timely fashion.

- D. Statement of Claim - State here briefly the facts of your case. Describe what action(s) each defendant took in violation of your constitutional rights. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. Use as much space as needed. You may attach extra paper if necessary.

Claim #1 - Supporting Facts - Tell your story briefly without citing cases or law.

ON APRIL 4TH 2013 I WAS PHYSICALLY ASSAULTED BY 3 CENTRAL VIRGINIA
REGIONAL JAIL OFFICERS, NAMELY, CAPTAIN DUANE RYDER, LIEUTENANT VOGT,
OFFICER NEFF IN A SMALL BATHROOM AREA (ATTACHED)

Claim #2 - Supporting Facts - Tell your story briefly without citing cases or law.


I HAVE BEEN HELD ON ADMINISTRATIVE SEGREGATION STATUS FOR 22
CONSECUTIVE MONTHS WITHOUT ANY PERIODICAL REVIEWS OF STATUS NOR ANY
CHANCE TO INTEGRATE INTO THE GENERAL POPULATION. (ATTACHED)

Claim #3 - Supporting Facts - Tell your story briefly without citing cases or law.

- E. State what relief you seek from the Court. Make no legal arguments, cite no cases or statutes.

TRANSFER TO A MORE SUITABLE FACILITY 75,000 IN PUNITIVE DAMAGES
\$25,000 IN COMPENSATORY DAMAGES

SIGNED THIS 22ND DAY OF AUGUST, 2013.



(Signature of Each Plaintiff)

VERIFICATION:

I, RASHAD MATTHEW RIDDICK, state that I am the plaintiff in this action and I know the content of the above complaint; that it is true of my own knowledge, except as to those matters that are stated to be based on information and belief, and as to those matters, I believe them to be true. I further state that I believe the factual assertions are sufficient to support a claim of violation of constitutional rights. Further, I verify that I am aware of the provisions set forth in 28 USC §1915 that prohibit an inmate from filing a civil action or appeal, if the prisoner has, three or more occasions, while incarcerated, brought an action or appeal in federal court that are dismissed on the grounds that it was frivolous, malicious or failed to state a claim upon which relief may be granted, unless the prisoner is in imminent danger of serious physical injury. I understand that if this complaint is dismissed on any of the above grounds, I may be prohibited from filing any future actions without the pre-payment of filing fees.

I declare under penalty of perjury the foregoing to be true and correct.

DATED: 8/22/13

SIGNED: 

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

COMPLAINT *(CLAIM #1)

ON APRIL 4TH 2013 IMMEDIATELY UPON BEING TRANSFERRED FROM CENTRAL STATE HOSPITAL IN PETERSBURG, VIRGINIA TO THE CENTRAL VIRGINIA REGIONAL JAIL IN ORANGE COUNTY, VIRGINIA I WAS ASSAULTED BY 3 CENTRAL VIRGINIA REGIONAL JAIL OFFICERS NAMELY, CAPTAIN DUANE RYDER, LIEUTENANT VOGT AND OFFICER NEFF IN A SMALL BATHROOM AREA LOCATED IN THE BOOKING AREA USED TO SEARCH INMATES.

THE ASSAULT TOOK PLACE AS FOLLOWS:

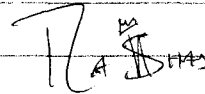
SOME TIME BETWEEN 2 AND 3 PM APRIL 4TH 2013 I WAS PICKED UP BY JAIL OFFICERS FOR A COURT APPEARANCE IN MADISON COUNTY THE VERY NEXT DAY, ON THE ISSUE OF COMPETENCE TO STAND TRIAL. THROUGHOUT THE ENTIRE PROCESS OF BEING TRANSPORTED I WAS SHACKLED AT THE ANKLES, HANDCUFFED, CHAINED AT THE WAIST AND AN ELECTRONIC DEVICE WAS STRAPPED ONTO MY ARMS.

UPON ARRIVING AT THE JAIL BETWEEN 5-6 PM I WAS ESCORTED INTO A SMALL BATHROOM AREA BY CAPTAIN DUANE RYDER, LIEUTENANT VOGT AND OFFICER NEFF. LESS THAN 10 SECONDS AFTER BEING ESCORTED INTO THE BATHROOM CAPTAIN DUANE RYDER BEGAN TO CHOKE ME FROM BEHIND NEARLY CAUSING ME TO PASS OUT, WHILE LIEUTENANT VOGT PUNCHED ME IN THE RIBS AND FACE REPEATEDLY. DURING THE ASSAULT OFFICER NEFF HELD THE WAIST CHAIN IN PLACE BUT I DO NOT BELIEVE THAT HE STRUCK ME THROUGHOUT ANY TIME OF THE ASSAULT. THE ASSAULT ITSELF LASTED BETWEEN 15 TO 20 SECONDS. AS A RESULT OF THE ASSAULT I RECEIVED A BRUISED RIB, A BUSTED LIP AND A SWOLLEN JAW.

THE VERY NEXT DAY I WAS AGAIN FOUND INCOMPETENT AND SENT BACK

TO CENTRAL STATE HOSPITAL. UPON MY RETURN TO THE HOSPITAL
I INFORMED JAMES BELL, DIRECTOR OF FORENSIC SECURITY AT CENTRAL
STATE HOSPITAL OF THE ASSAULT. HE THEN CONTACTED THE JAIL AND
THE VIRGINIA STATE POLICE. DUE TO MY IMMEDIATE TRANSFER BACK
TO THE HOSPITAL I WAS UNABLE TO EXHAUST ANY AVAILABLE REMEDIES
AT THE JAIL.

I AM NOW SEEKING REDRESS IN THE FEDERAL COURTS.

A stylized handwritten signature in black ink, appearing to read 'RASHAD M. RIDDICK'.

RASHAD M. RIDDICK
CENTRAL VIRGINIA REGIONAL JAIL
13021 JAMES MADISON HWY
ORANGE, VA 22960

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

COMPLAINT * (CLAIM #2)

I, RASHAD MATTHEW RIDDICK HAVE BEEN HOUSED IN SOLITARY CONFINEMENT, I.E. SHU FOR A TIME PERIOD EXCEEDING WELL OVER 22 CONTINUOUS MONTHS WITHOUT ANY OPPORTUNITY TO INTEGRATE INTO THE GENERAL POPULATION NOR ANY FORMAL REVIEWS WHICH WILL ALLOW ME TO CHALLENGE THE CONDITIONS OF MY CONFINEMENT. THROUGHOUT THIS 22 MONTH PERIOD WHENEVER I HAVE ATTEMPTED IN GOOD FAITH TO UTILIZE THE GRIEVANCE PROCEDURE AND CHALLENGE SUCH CONDITIONS OFFICERS, NAMELY, CAPTAIN DUANE RYDER, LIEUTENANT VOGT, LIEUTENANT AKERS, LIEUTENANT MCDANIEL AND CLASSIFICATION STAFF DUDLEY, HAVE SYSTEMATICALLY THROWN AWAY MY REQUEST FORMS WHICH ACCORDING TO POLICY IS THE INFORMAL STEP IN THE CENTRAL VIRGINIA REGIONAL JAIL GRIEVANCE PROCEDURE THEREFORE EFFECTIVELY THWARTING MY ATTEMPTS TO UTILIZE THE GRIEVANCE PROCEDURE AND EXHAUST ALL INSTITUTIONAL REMEDIES AS REQUIRED BY THE PRISON LITIGATION REFORM ACT AS I HAVE NO DOCUMENTATION TO PROVE THAT I HAVE IN FACT ATTEMPTED TO EXHAUST ALL AVENUES AVAILABLE. ADDITIONALLY, OFFICERS, NAMELY, LT. MCDANIEL, LT. AKERS AND OFFICER NEFF HAVE ENGAGED IN A PRACTICE OF FLAT-OUT FABRICATING INSTITUTIONAL CHARGES AT THE BEHEST OF SUPERINTENDANT AYLER IN AN EFFORT TO GIVE AN APPEARANCE THAT I AM BEING HELD ON ADMINISTRATIVE SEGREGATION STATUS DUE TO MY BEHAVIOR AND/OR INSTITUTIONAL ADJUSTMENT WHEN THIS IS CLEARLY NOT THE CASE.

CONDITIONS OF SHU CONFINEMENT

FOR 23 HOURS AND 15 MINUTES EVERY DAY I AM CONTINED TO A

8x6 CELL. ON WEEKENDS AND HOLIDAYS I AM NOT PERMITTED TO LEAVE THE CELL AT ALL. WHEN, AND IF, I AM ESCORTED FROM THE CELL I AM SHACKLED AT THE ANKLES, HANDCUFFED, AND CHAINED AT THE WAIST. THE 45 MINUTE PSEUDO-RECREATION EXPLAINED ABOVE MERELY CONSISTS OF A SMALL REC-AREA IN WHICH I AM TO REMAIN IN HANDCUFFS AND LEG IRONS AT A ROUND METAL TABLE. NO RECREATIONAL EQUIPMENT. NO OUTSIDE RECREATION. NO RELIGIOUS PROGRAM. NO TELEVISION. NOTHING... THEN, AT MEAL TIMES A TRAY IS PUSHED THROUGH A SMALL TRAY SLOT IN THE DOOR. THIS IS MY LIFE.

I AM A PRE-TRIAL DETAINEE, NOT A PRISONER AS I HAVE NOT BEEN CONVICTED OF ANY CRIMES AND YET I AM BEING SUBJECTED TO WORSE CONDITIONS THAN INMATES WHO HAVE BEEN TRIED, CONVICTED AND SENTENCED.

ADDITIONALLY, OTHER INMATES WHO ARE CURRENTLY ON ADMINISTRATIVE SEGREGATION STATUS ARE ONLY REQUIRED TO REMAIN CHARGE FREE PER SUPERINTENDANT AYLOR AND CLASSIFICATION STAFF M. D. LUCAS FOR A MERE 2 WEEKS AND THEN ARE FREE TO INTEGRATE INTO THE GENERAL POPULATION. THESE INMATES ARE ONLY ON ADMINISTRATIVE SEGREGATION FOR 30 DAYS MAXIMUM AND AFTER RECEIVING VIOLENT INSTITUTIONAL INFRACTIONS WHICH OFTEN INVOLVE BODILY HARM TO OTHER INMATES AND IN SOME CASES STAFF.

I, ON THE OTHER HAND HAVE REMAINED INFRACTION FREE FOR 18 MONTHS NOTWITHSTANDING FRIVOLOUS CHARGES WRITTEN BY THE INDIVIDUALS EXPLAINED ABOVE AND HAVE NOT RECEIVED ANY OF THESE CONSIDERATIONS GIVEN TO OTHER INMATES SIMILARLY SITUATED OR ANY REASON WHATSOEVER WRITTEN OR OTHERWISE OF WHY I AM BEING MADE TO ENDURE SUCH HARDSHIP FOR SUCH A LENGTHY PERIOD OF TIME OR HOW LONG THESE EXTREMELY HARSH CONDITIONS ARE TO LAST.

AS IT RELATES TO THE CONDITIONS IN THE GENERAL POPULATION, THEY (INMATES) ARE PERMITTED TO BE OUT OF THEIR CELLS 16 HOURS OUT OF

THE DAY ON WEEKDAYS AND 18 HOURS A DAY ON WEEKENDS AND HOLIDAYS. THE GENERAL POPULATION IS ABLE TO APPLY FOR JOBS AND ENGAGE IN RELIGIOUS INTERCOURSE WITH PEERS AND A CHAPLAIN 2 DAYS A WEEK. THE GENERAL POPULATION IS GIVEN 1 HOUR OUTSIDE RECREATION DAILY AND THERE ARE TELEVISION MOUNTED ON THE WALLS ALL THROUGHOUT THE PODS WHICH CAN BE WATCHED 18 HOURS DAILY. AS A DIRECT RESULT OF SUCH PROLONGED PERIODS OF SECLUSION AND FORCED IDLENESS I HAVE LOST OVER 40 POUNDS AND PREVIOUSLY EXISTING MENTAL ILLNESSES HAVE BEEN EXACERBATED A HUNDREDFOLD.

THIS PROLONGED PERIOD OF FORCED IDLENESS IMPOSES ATYPICAL AND SIGNIFICANT HARDSHIP IN RELATION TO THE ORDINARY INCIDENTS OF INMATES SIMILARLY SITUATED AT THIS JAIL AND THERE IS AMPLE FEDERAL, STATE AND LOCAL LAW THAT EXISTS AT THE PRESENT TIME TO HAVEN GIVEN FAIR WARNING TO THE SUPERINTENDANT, CLASSIFICATION STAFF AND SECURITY OFFICERS THAT IT IS WHOLLY UNCONSTITUTIONAL AND IN DIRECT VIOLATION OF MY 5TH AND 14TH AMENDMENT DUE PROCESS RIGHTS TO BE HELD INDEFINITELY IN ADMINISTRATIVE SEGREGATION FOR AN EXCESS OF 22 CONSECUTIVE MONTHS FOR THE PURPOSES OF PUNISHMENT AND WITHOUT ANY PROCEDURAL PROTECTIONS IN THE FORM OF PERIODIC REVIEWS OR HEARINGS.



RASHAD M. RIDDICK
CENTRAL VIRGINIA REGIONAL JAIL
13021 JAMES MADISON HWY.
ORANGE, VA 22960

RASHAD M. RIDICE
CENTRAL VIRGINIA REGIONAL MAIL
13621 JAMES MADISON HWY
ORANGE, VA 22960

U.S. DISTRICT COURT
210 FRANKLIN ROAD, SUITE 540
ROANOKE, VA 24011-2208

RECEIVED

AUG 29 2013

USDC Clerk's Office
Mail Room

